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February 22, 2019

By ECF

Hon. Colleen McMahon
Chief United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: United States v. Dwaine Collymore
16 Cr. 521 (CM)

Dear Judge McMahon:

Jeremy Schneider and I are the attorneys for Dwaine Collymore, the defendant in the above-referenced matter. Enclosed, please find additional documents to supplement Mr. Collymore's sentencing submission, which was filed by ECF on January 23, 2019.

The Court's attention to this matter is appreciated.

Respectfully submitted,

/ s /

David Stern

cc: All counsel (ECF)

February 9, 2019

To Honorable Judge McMahon,

I am addressing this missive to you in regards of my dearest and oldest friend, Dwaine Collymore. As far back as I can remember, Dwaine and I have been inseparable. Coming from the same neighborhood in the Bronx growing up was far from a simple task. You can say we certainly had a rough upbringing. The entire area is infested with drugs and gangs but we managed to steer clear of that.

I met Dwaine one day playing basketball on a makeshift court some of our peers had constructed from a milk crate. Funny story, not being so very athletic the older, taller more adept kids somewhat took advantage, and we barely got a chance to shoot lest an unexpected rebound would swoop down into our arms. One day such a rebound landed squarely into Dwaine's possession and he eagerly lept up and took a soaring jump shot which flew awry missing the basket entirely. On his way down he must have lost his footing and fell to the ground with a thud, simultaneously splitting his jeans at the very same moment. It was hilarious! He quickly left the court and it would be a few days before I would once again encounter him.

One faithful day a few weeks later I was strolling along to the store when I ran into a friend of mine from school. Not far behind him was Dwaine unbeknownst to me the two of them were close and thus became our trio of camaraderie. Sharing a mutual friend brought us closer because our friend didn't live in the area. So we began to hang out together more frequently when he wasn't around. It was around this time I developed a fondness for Dwaine. An undying trust and respect.

We did everything together and relied on one another for everything. We quickly became more like brothers sharing everything from food to shoes even clothes. I would call him in the mornings to request a shirt to adorn with my daily outfit, and he in turn would ask for an item. We would meet at his house or some days at another friends and swap clothes. Looking back you might describe us as the "fly guys" in the neighborhood. Not many people did it better than us. We certainly put up an excellent front for two have-nots from 188th Street, but you couldn't tell just by looking at us. Our style was rather unique almost impeccable.

Dwaine back then impressed me because he had a knack for picking up the most beautiful girls in the neighborhood. He motivated me to do the same and it became a thing for us to see who could obtain the most phone numbers as the days dragged along. Many days I would win, but often he would take the prize.

There were times when I would be starved and not have a dime in my pocket. And Dwaine would come along with not much for himself. Still if he ordered some wings and fried rice I was certain to receive my fair share. He would pretend as if he didn't have much of an appetite, but I'm sure he was more concerned with making sure I got a bite to eat. That's the kind of person he is. The guy that would give you the shirt off his back or split the tiniest morsel in half to make sure you had some too. And for that I would be eternally grateful.

Dwaine was always a hard working guy growing up. I recall him holding a position at the local Food Bank while we attended classes and I did part time work. We would always find each other after work was complete and hang out with friends and joke around. Dwaine has a great sense of humor and an infectious laugh. He's always been a great story teller and a comedic virtuoso. If ever I needed a pick me up, I'd give him a call and we'd remain on the phone for hours discussing everything from women to our plans for the following day. I could always count on Dwaine to lift my spirits if ever I was feeling down. And little known to us we were about to get hit with a devastating blow.

One faithful night in the winter of 2006 a very close friend of ours, Miguel Daniel Perez, was shot and killed. Miguel's death had a paralyzing effect on us both. Dwaine was always the stronger of the two so I looked to him for stability. In some ways I felt Miguel's loss could have been avoided. To me my inner circle consisted of very few people. I know Dwaine shares that sentiment. Miguel however was more sociable and it cost him his life. We still mourn his loss to this day.

It was about a year later I began working with my Union local 79. Dwaine had decided that he would be moving to York, a city in Pennsylvania. He insisted I join him. It was supposed to be an easier place to live than New York City. Naturally I thought it was a great idea and deliberated for months before I decided that my opportunity with the Union was better for me. And so we went our separate ways. My best friend and I were living much further apart than ever before. A short walk to his house became a long drive. And we started to see less of one another.

Still managing to keep in touch Dwaine and I would meet up whenever he arrived in town. Being much older we would venture into nightclubs and bars for drinks. Having once compared outfits we now began to discuss cars and living situations and salaries. We were men now no longer kids.

Dwaine has always been my dearest most trusted friend. I spent more time with that man than I have with any other human being. So when I heard of what he was being accused of, I was stupefied, confused, and in a state of complete panic. Instantly I thought of what I could do to help the person who had always been there for me, always had my back. Learning that he had taken responsibility for the crime was even more devastating to me. Could it be true? Could my best friend be capable of such an evil act? I wondered what his state of mind could have been at that moment. It had to have been something going on in his mind for him to have to take a

person's life.

As unbelievable as it may sound to any of us who truly know him, Dwaine has done the right thing and assumed responsibility for his part of what has occurred. It is exactly what I would expect him to have done. Being a man and taking responsibility for your actions no matter how harsh the consequences may be. Every day I pray for him and ask God to forgive him for his mistakes. I know he realizes how severe it is and hopefully he can come to terms with himself because I know it's changed him profoundly.

I ask you to use your full discretion when you make your decision on sentencing Dwaine. But Please! Remember he's not a monster! He's a brother, a friend, and a son as well. There are so many people whose lives he has touched. Many others who have benefited from his presence. Dwaine has always taken care of everyone around him to the very best of his ability. In a way I feel like I let him down. I wasn't there to tell him "No brother, it's not worth it." I don't know what caused it or led up to that faithful moment. What I do know is a person shouldn't be judged by a single action. Instead you should take the time to look at a beautiful life.

Wonderful, giving, and trustworthy are the words I would use to describe my friend and my brother, Dwaine Collymore. I know he's ready to accept his punishment. I just hope we'll have time to reminisce about the way we used to be in the future! [Dwaine, I love you brother and I hope you won't be gone too long!]

Your Honor, thank you for your time and consideration in reading this.

Sincerely,

Keenon Lozano

April 12, 2018

Ryan Boone-McCreesh

[REDACTED]

Re: Dwaine Collymore

To: The Honorable Judge Colleen McMahon

I, Ryan Boone-McCreesh, have known Dwaine Collymore for about 11 years. During the time I have known Dwaine, he has been one of very few people I would consider to be my friend. With that being said, it was extremely surprising and disturbing to receive his phone call from the prison with the news of his detainment. I understand that the charges being pressed against him are extremely serious, however I pray that this letter might shine some light on the character of the Dwaine Collymore that I know.

I first met Dwaine when he applied for a position at my family's roofing business where he worked under me for several months until the winter weather cut our hours and Dwaine found it necessary to seek other employment. During the time Dwaine worked for me he was a trusted and reliable employee. We grew close as friends during this time and remain friends until this day.

Like I mentioned before, Dwaine Collymore has been a very close friend to me for about 11 years. I have always been able to trust, rely on, and confide in Dwaine as a valuable friend of mine. Six years ago, I purchased a house that needed a lot of work before my family and I could live there. For the three months I was renovating, Dwaine would come help me do hard manual labor in the renovation process of my home, never asking for anything in return. He showed up on a daily basis to help me out of the kindness of his heart. Although I really did need and appreciate his help, I always asked why he was helping me when I couldn't afford to pay him and had nothing in return to offer him. He always said this is what friends are for.

In the time knowing Dwaine, he has proven that he is an honest man with a high level of integrity. He always showed up on my son's birthday with a present for him even if Dwaine was busy or didn't really have the money. He has always been there for me when I needed help or even just someone to talk to and he never asked for anything in return.

For as long as I have known Dwaine, he has truly been not only a friend but also an upstanding member of our community. On multiple occasions I have seen Dwaine help people in our community who were in need. For example, I personally have seen Dwaine give his last 10 dollars to a young boy in the neighborhood who was obviously hungry so that the boy could get something to eat.

Lastly, I know that Dwaine is not perfect by any means, but I pray that the courts take this letter into consideration during the time sentencing. Despite the current case that Dwaine is involved in, I still believe that Dwaine is not only a valued friend of mine, but also a good-hearted person with a high level of integrity as well as an honorable and valuable part of the community.

Thank you and God bless.

Sincerely,

Ryan Boone-McCreesh

April 14, 2018

Darreischia DuPree
[REDACTED]

To Judge Colleen McMahon:

I have known Dwaine Collymore for almost 10 years and during that time he has been a great person. He was always very kind, trustworthy, and easy to be around. I am not from the area and was in the process of meeting new people when I met Dwaine, and our friendship has been supportive of one another and full of respect. He has a lot to offer and I look forward to maintaining such a prosperous friendship.

I am certain that Dwaine will continue to be a great person after this chapter in his life is complete. I ask that you please be lenient in his sentencing. Thank you for taking the time to read this letter.

Sincerely,
Darreischia DuPree

March 18, 2018

Dyan McKenzie

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Your Honor McMahon:

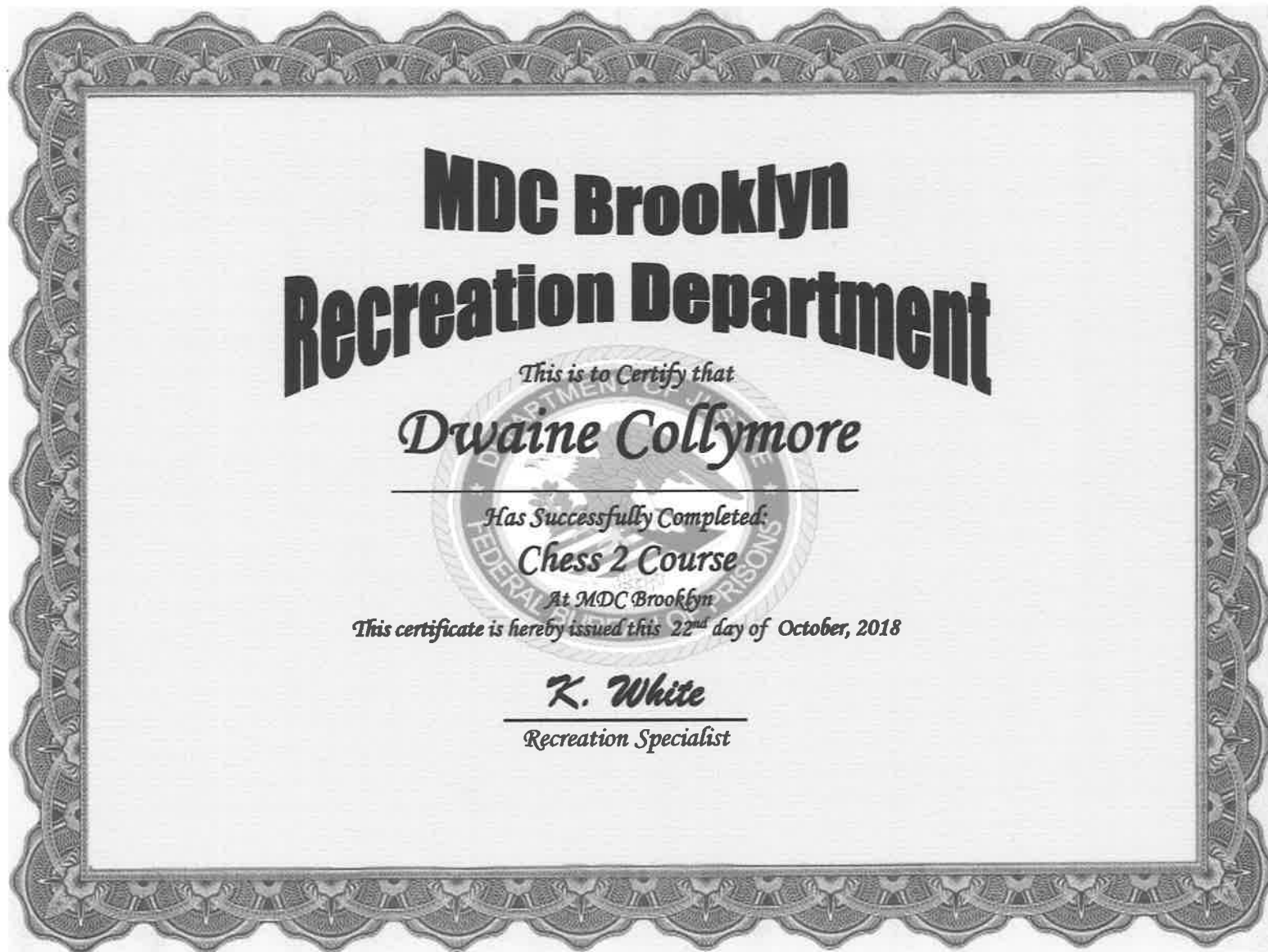
I met Dwaine Collymore through his mother, Christine Charles, who is a very good friend of mine. Over the past 25 years, I have watched Dwaine grow into a mature young man.

Mr. Dwaine is loving and respectful. He always looks out for his mother and younger sister, and he is very generous and supportive to his friends and colleagues.

He is a good person, and I ask that you please give him lesser time on his sentence.

Yours sincerely,

Dyan McKenzie



Bureau of Prisons
Psychology Services
Group Participation

SENSITIVE BUT UNCLASSIFIED

Inmate Name: COLLYMORE, DWAIN E **Reg #:** 77977-054
Date of Birth: 07/07/1985 **Sex:** M **Facilitator:** (P)Barrett, Nina DTS
Date: 06/26/2018 **Group Facility:** BRO **Group Title:** [103] TUES AM: H52 Detainee/Holdover Status

Status: Completed**Enroll Date:** 06/26/2018 **End Date:** 10/09/2018**Total Hours:** 25.43**SESSION DATA:**

Number of Sessions: 16 **First Session Date:** 06/26/2018 **Last Session Date:** 10/09/2018

<u>Date</u>	<u>Title</u>	<u>Duration</u>	<u>Attendance</u>	<u>Participation</u>	<u>Homework</u>
10/09/2018	Responsible Living	30	Incomplete Session	Good	Not Apply
10/02/2018	Lifestyle Balance	90	Complete Session	Good	Unsatisfactory
09/25/2018	Relapse Warning Signs	120	Complete Session	Good	Satisfactory
09/18/2018	Building Healthy Relationships, Creating a Support Network	115	Incomplete Session Not	Good	Satisfactory
09/11/2018	CANCELLED: INSTITUTION LOCKDOWN	0	Absent Excused	Not Apply	Not Apply
09/04/2018	Practicing & Applying Assertive Communication Skills	80	Incomplete Session Not	Good	Satisfactory
08/28/2018	Maintaining Your Goals with Self-Control	115	Incomplete Session Not	Good	Satisfactory
08/21/2018	Maintaining Goals with Rational Thinking	120	Complete Session	Good	Unsatisfactory
08/14/2018	RSA's Continued	120	Complete Session	Good	Unsatisfactory
08/07/2018	How to do a RSA	83	Incomplete Session	Good	Satisfactory
07/31/2018	Rational Challenges, Examining Consequences	120	Complete Session	Good	Satisfactory
07/24/2018	ABC's, Rational Self-Counseling	120	Complete Session	Good	Satisfactory
07/17/2018	Readiness Statement, Goal-Setting	113	Incomplete Session Not	Good	Unsatisfactory
07/10/2018	Stages of Change, Strategies & Motivation for Change	120	Complete Session	Good	Satisfactory
07/03/2018	Attitudes for Success vs. Injurious Attitudes	120	Complete Session	Good	Satisfactory
06/26/2018	Informed Consent, Intro to "Getting Started"	60	Incomplete Session	Good	Not Apply
Attendance		Participation		Homework	
Complete Session Present	50.0 %	Good	93.8 %	Not Apply	18.8 %
Incomplete Session	18.8 %	Fair	0.0 %	Satisfactory	56.2 %
Excused		Poor	0.0 %	Unsatisfactory	25.0 %
Incomplete Session Not	25.0 %	Not Apply	6.2 %		
Excused					
Absent Excused	6.2 %				
Absent Not Excused	0.0 %				

COMMENTS:

Date **Provider**
 10/09/2018 Barrett, Nina DTS
 SESSION 16: Medical call-out
 08/07/2018 Barrett, Nina DTS
 SESSION 7: Legal visit



COLUMBIA UNIVERSITY

IN THE CITY OF NEW YORK

This Certifies That

Dwaine Collymore

*has successfully completed the Course of Study as prescribed by the
Justice-in-Education Initiative Scholars program and in testimony thereof is awarded this*

**Certificate of Completion
for
Critical Thinking Mini Course**

11/30/18
Completion Date


Course Instructor